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**COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR CIP)

---

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: *(check one)*

- ☒ Original  
☐ Supplemental  
☐ Design

- ☐ National Stage PCT  
☐ Divisional  
☐ Continuation  
☐ Continuation-in-Part (CIP)

**INVENTORSHIP IDENTIFICATION**

**NOTE:** *If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.*

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR CHEMILUMINESCENT DETECTION**

the specification of which: *(complete (a), (b) or (c))*

(a) ☒ is attached hereto.

(b) ☐ was filed on \_\_\_\_\_ as  
☐ Serial No. \_\_\_\_\_ or  
☐ Express Mail No. \_\_\_\_\_, as Serial No. not yet known  
and was amended on \_\_\_\_\_. *(If applicable)*

(c) ☐ was described and claimed in PCT International Application No. PCT/  
filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_. *(If any)*

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above, and that the filing of said specification, if heretofore filed, was authorized by me.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

**CLAIM OF PRIORITY OF EARLIER FOREIGN APPLICATION(S) UNDER 35 U.S.C. §119(a)-(d)**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

*(List prior foreign/PCT application(s) filed within 12 months (6 months for design) prior to this U.S. application.)*

**NOTE:** Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

COUNTRY (orPCT)	APPLICATION NO.	DATE OF FILING (Day/Month/Year)	PRIORITY CLAIMED UNDER 35 USC §119	
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

*(List prior U.S. provisional applications.)*

PROVISIONAL APPLICATION NO.	FILING DATE (Day/Month/Year)

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(List prior U.S. applications or PCT International applications designating the U.S. for benefit under 35 U.S.C. §120.)

U.S. APPLICATIONS		STATUS (Check One)		
U.S. SERIAL NO.	U.S. FILING DATE (Day/Month/Year)	Patented	Pending	Abandoned
0 /		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
0 /		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PCT APPLICATIONS DESIGNATING THE U.S.			STATUS (Check One)		
PCT APPLN. NO.	PCT FILING DATE (Day/Month/Year)	U.S. SERIAL NOS ASSIGNED (If any)	Patented	Pending	Abandoned
PCT/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCT/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS**

PRIORITY APPLICATION NO.	PRIORITY COUNTRY	FILING DATE (Day/Month/Year)	ISSUE DATE (Day/Month/Year)

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith:

Charles R. Hoffmann, Reg. No. 24,102; Ronald J. Baron, Reg. No. 29,281; Gerald T. Bodner, Reg. No. 30,449; Alan M. Sack, Reg. No. 31,874; A. Thomas Kammer, Reg. No. 28,226; R. Glenn Schroeder, Reg. No. 34,720; Glenn T. Henneberger, Reg. No. 36,074; Irving N. Feit, Reg. No. 28,601; Anthony E. Bennett, Reg. No. 40,910; Gregory W. Bachmann, Reg. No. 41,593; Steven T. Zuschlag, Reg. No. 43,309; Susan A. Sipos, Reg. No. 43,128; Kevin E. McDermott, Reg. No. 35,946; Rod S. Turner, Reg. No. 38,639; Robert C. Morriss, Reg. No. 42,910; Algis Anilionis, Reg. No. 36,995; Justin K. Holmes, Reg. No. 42,666; Lauren T. Emr, Reg. No. 46, 139; and Edna I. Gergel, Reg. No. 50,819; each of them of HOFFMANN & BARON, LLP, 6900 Jericho Turnpike, Syosset, New York 11791; and Daniel A. Scola, Jr., Reg. No. 29,855; Salvatore J. Abbruzzese, Reg. No. 30,152; John Sopko, Reg. No. 41,321; Gloria K. Szakiel, Reg. No. 45,149; Mark E. Baron, Reg. No. 46,150; Ludomir A. Budzyn, Reg. No. 40,540; Christina L. Warrick, Reg. No. 45,690; Linda T. Parker, Reg. No. 46,046; Robert M. Rodrick, Reg. No. 27,086; Rohini K. Garg, Reg. No. 45,272; Joy I. Farber, Reg. No. 44,103; and Anna-Lisa Gallo, Reg. No. 50,279 each of them of HOFFMANN & BARON, LLP, 1055 Parsippany Boulevard, Parsippany, New Jersey 07054.

---

**PLEASE SEND CORRESPONDENCE TO:**

Daniel A. Scola, Jr.  
HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, NY 11791

---

**PLEASE DIRECT TELEPHONE CALLS TO:**

Gloria K. Szakiel  
(973) 331-1700

---

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

---

**Full Name of Sole or First Inventor:** Derek W. K. Levison

---

**Country of Citizenship:** US

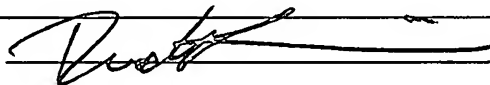
---

**Residence Address:** 7 Buxton Road; Jackson, NJ 08527

---

**Post Office Address:** Same as above

---

**Date:** 24. May 2002 **Inventor's signature**

---

**Full Name of Second Joint Inventor:** Uwe Moller

---

**Country of Citizenship:** Germany

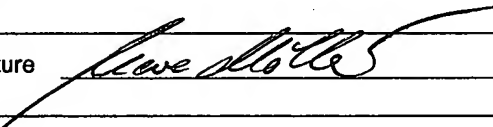
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**Residence Address:** Stollberger Strasse 93; D-12627 Berlin, Germany

---

**Post Office Address:** Same as above

---

**Date:** 24. May 2002 **Inventor's signature**

---

**Full Name of Third Joint Inventor:** Stuart Levison

---

**Country of Citizenship:** US

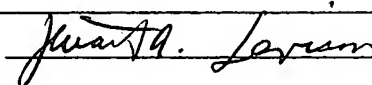
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**Residence Address:** 7 Buxton Road; Jackson, NJ 08527

---

**Post Office Address:** Same as above

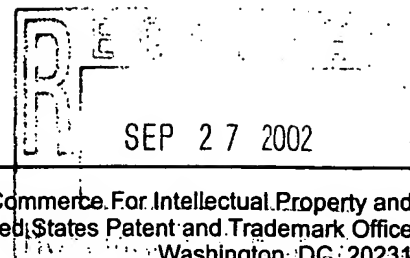
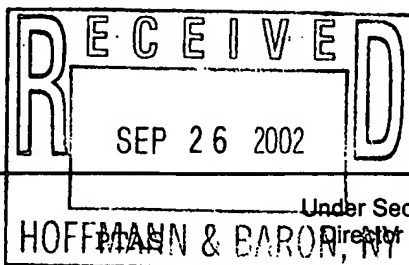
---

**Date:** 16 July 2002 **Inventor's signature**

NOTE: All above spaces identifying inventors must be completed or deleted before any inventor executes this application



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE



SEPTEMBER 20, 2002

HOFFMANN & BARON, LLP  
DANIEL A. SCOLA, JR.  
6900 JERICHO TURNPIKE  
SYOSSET, NY 11791

Washington, DC 20231  
www.uspto.gov



\*102168375A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/16/2002

REEL/FRAME: 013106/0774

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

LEVISON, DEREK W.K.

DOC DATE: 05/24/2002

ASSIGNOR:

MOLLER, UWE

DOC DATE: 05/24/2002

ASSIGNOR:

LEVISON, STUART

DOC DATE: 07/16/2002

ASSIGNEE:

EMP BIOTECH GMBH  
ROBERT-ROSSLE-STR. 10  
BERLIN, FED REP GERMANY D-13125

SERIAL NUMBER: 10195978

FILING DATE: 07/16/2002

PATENT NUMBER:

ISSUE DATE:

22

013106/0774 PAGE 2

JEEVON JONES, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

07-25-2002

Sheet No.: 1006-6

FORM PTO-1595 (Modified)  
(Rev. 03-01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
P08A/REV03

SHEET

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Patent and Trademark Office



102168375

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Derek W.K. Levison  
Uwe Moller  
Stuart Levison

07/16/02

2. Name and address of receiving party(ies):

Name: emp Biotech GmbH

Address: Robert-Rossle-Str. 10

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: May 24, 2002 and July 16, 2002

City: Berlin

State/Prov.: \_\_\_\_\_

Country: Germany

ZIP: D-13125

Additional name(s) & address(es)

☐ Yes ☒ No

4. Application number(s) or patent numbers(s):

10/195978

If this document is being filed together with a new application, the execution date of the application is: July 16, 2002

Patent Application No.

Filing date

B. Patent No.(s)

07/22/2002 DLY111 00000010 10195978

04 FC:581

40.00 OP

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel A. Scola, Jr.

Registration No. 29,855

Address: HOFFMANN & BARON, LLP

6900 Jericho Turnpike

City: Syosset

State/Prov.: NY

Country: US

ZIP: 11791

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

08-2461

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Gloria K. Szakiel

Name of Person Signing

*Gloria K. Szakiel*

Signature

July 16, 2002

Date

4

Total number of pages including cover sheet, attachments, and

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments



Attorney's Docket No.: 1006-6

PATENT

For: ☒ U.S. and/or ☒ Foreign Rights  
For: ☒ U.S. Application;  
☐ U.S. Provisional Application;  
☐ U.S. Patent; or  
☐ PCT Application  
By: ☒ Inventors or ☐ Present Owners

### ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS: (inventor(s) or person(s) or entity(ies) who own the invention)

<u>Derek W. K. Levison</u> Name	<u>Uwe Moller</u> Name	<u>Stuart Levison</u> Name
<u>7 Buxton Road</u> Address	<u>Stollberger Strasse 93</u> Address	<u>7 Buxton Road</u> Address
<u>Jackson, NJ 08527</u>	<u>D-12627 Berlin, Germany</u>	<u>Jackson, NJ 08527</u>
<u>US</u> Nationality	<u>German</u> Nationality	<u>US</u> Nationality

(If assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO add the following)

Recorded on \_\_\_\_\_

Reel \_\_\_\_\_  
Frame \_\_\_\_\_

hereby sells, assigns and transfers to

ASSIGNEE:

emp Biotech GmbH  
(Type or print name of ASSIGNEE)

Robert-Rossle-Str. 10  
Address

D-13125 Berlin, Germany

German  
Nationality

and the successors, assigns and legal representatives of the ASSIGNEE,

(complete one of the following)

- ☒ the entire right, title and interest  
☐ an undivided \_\_\_\_\_ percent (\_\_\_\_\_% ) interest

for the United States and its territorial possessions

- ☒ and in all foreign countries, including all rights to claim priority,

in and to any and all improvements which are disclosed in the invention entitled:

**METHOD FOR CHEMILUMINESCENT DETECTION**

and which is found in

(check and complete (a), (b), (c), (d), (e), (f), or (g))

- (a) ☒ U.S. patent application executed on even date herewith  
(b) ☐ U.S. patent application executed on \_\_\_\_\_  
(c) ☐ U.S. provisional application naming the above inventor(s) for the above-identified invention.  
☐ Express Mail label No.: \_\_\_\_\_, mailed: \_\_\_\_\_  
☐ To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known  
(d) ☐ U.S. application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_  
(e) ☐ International application No. PCT/\_\_\_\_\_/\_\_\_\_\_  
(f) ☐ U.S. Patent No. \_\_\_\_\_ issued \_\_\_\_\_  
☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.  
(g) ☐ and any legal equivalent thereof in a foreign country, including the right to claim priority


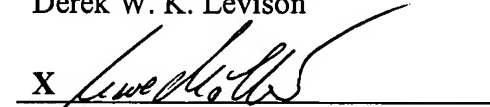
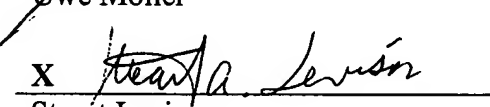
and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to Letters Patent any re-issue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this

above. **WARNING:** Date of signing must be the same as the date of execution of the application if item (a) was checked

Date: <u>X 24 May 2002</u> Date of signing	<u>X </u> Derek W. K. Levison
Date: <u>X 24 May 2002</u> Date of signing	<u>X </u> Uwe Moller
Date: <u>X 16 July 2002</u> Date of signing	<u>X </u> Stuart Levison

NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized then it will only be prima facie evidence of execution 35 USC 261. Use next page if notarization is desired.

☐ Notarization or Legalization Page Added.